

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

21-CR-7-LJV

JOHN STUART,

Defendant

**NOTICE OF MOTION AND MOTION TO
SET A DATE FOR TRIAL OR CHANGE OF PLEA**

PLEASE TAKE NOTICE that the United States of America, by its attorneys, Trini E. Ross, United States Attorney for the Western District of New York, and Laura A. Higgins, Assistant United States Attorney, of counsel, hereby moves this Court to set a date for trial or change of plea in this action, such motion to be heard by the United States District Court for the Western District of New York, United States Courthouse 2 Niagara Square, Buffalo, New York, at a date and time to be determined by the Court.

DATED: Buffalo, New York, April 8, 2022.

TRINI E. ROSS
United States Attorney

BY: s/LAURA A. HIGGINS
Assistant United States Attorney
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202
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JOHN STUART,

Defendant

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

LAURA A. HIGGINS, being duly sworn, deposes and states:

1. I am an Assistant United States Attorney for the Western District of New York assigned to the prosecution of the above-referenced case. This affidavit is submitted in support of the government's motion to set a date for trial or change of plea in this action.

2. On April 8, 2022, the Court issued a Decision and Order resolving all of the defendant's pre-trial motions pending before the Court. Therefore, the government requests a status conference before the Court to schedule change-of-plea proceedings, a further status conference, or a trial date in this matter.

3. Based on the foregoing, it is respectfully requested that a date for trial, change of plea or further status conference be set by the Court in this action.

s/LAURA A. HIGGINS
Assistant United States Attorney
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202
716/843-5862
Laura.Higgins@usdoj.gov

Subscribed and sworn to before me

this 8th day of April, 2022

s/JESSICA A. OLSZEWSKI
COMMISSIONER OF DEEDS
In and for the City of Buffalo, New York.
My Commission Expires Dec. 31, 2022